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ALAMEDA COUNTY MEDICAL CENTER - JOHN GEORGE PSYCHIATRIC PAVILLION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ANNETTE M. FILENA, individually and as
successor in interest for decedent, Debra
Kincaid,

Case No. C 07-05462 SBA

Hon. Sandra B. Armstrong

Plaintiff,

**[PROPOSED] ORDER GRANTING MOTION
TO DISMISS**

vs.

ALAMEDA COUNTY MEDICAL CENTER -
JOHN GEORGE PSYCHIATRIC PAVILLION
and DOES 1-100, inclusive,

Date: January 15, 2008
Time: 1:00 p.m.
Courtroom: 3, 3rd Floor

Defendants.

The motion of defendant ALAMEDA COUNTY MEDICAL CENTER - JOHN GEORGE PSYCHIATRIC PAVILLION came on regularly for a hearing today;

The Court having considered the Complaint, defendant ALAMEDA COUNTY MEDICAL CENTER - JOHN GEORGE PSYCHIATRIC PAVILLION'S motion to dismiss and motion to strike, and the other papers and pleadings on file herein; now therefore, good cause appearing, the Court hereby grants defendant ALAMEDA COUNTY MEDICAL CENTER - JOHN GEORGE PSYCHIATRIC PAVILLION'S motion to (1) dismiss the Third and Seventh Causes of Action of plaintiff's Complaint, (2) strike plaintiff's request for punitive and treble damages contained in

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Paragraphs 3 and 5 of the Complaint's Prayer for Relief, and (2) strike the request for injunctive relief contained in Paragraphs 6 and 7 of plaintiff's Complaint.

Dated: _____

Judge of the United States District Court
for the Northern District of California